

**OFFICE OF THE ATTORNEY GENERAL
INTERNAL MEMORANDUM**

TO: FILE

FROM:
Assistant Attorney General
Division

RE:

DATE:

The purpose of this memorandum is to establish a conflict screen in the above-referenced matter ("the matter") currently being handled by this Division. The division is defending

Because of an actual or potential conflict of interest, there will be two lawyers assigned to this case.

I will be represent _____, and will report to _____, and will utilize _____ (secretary) and _____ (paralegal), collectively referred to as the "_____ side" of the case. We will all be screened from _____ files and materials in this matter. _____ will represent _____, report to _____, and will utilize _____ (secretary) and _____ (paralegal), collectively referred to as the "_____ side" of the case. All persons on the _____ side of the case will be screened from the _____ files and materials in this matter. In order to maintain an effective screen, the following procedures shall be implemented immediately.

Communication forbidden. Employees on one side of the case shall not communicate with employees on the other side of the case about the matter, and vice versa, except to the extent that (1) any such communication would be clearly permissible with opposing counsel in the matter, such as giving the status of the case matter or other publicly available information, or (2) the client consents after consultation as provided in applicable rules of professional conduct, including, as applicable, rules 1.6, 1.7, 1.9, 1.11, and 5.3, Utah Rules of Professional Conduct.

Sequestration of Physical Files. Screened employees are barred from access to physical files relating to the matter. The attorney with primary responsibility for the matter shall ensure that these files are stored either in (1) locked file drawers, provided the screened employee has no access to the keys; or (2) a location physically separated from the screened employees' work places, such as in another employee's private office or other appropriately secured area.

Sequestration of Computer Files. Screened employees are barred from access to computer files relating to the matter. At the direction of the attorney with primary responsibility for the matter, the chief of the Computers Section of the Administration Division shall ensure that the screened employees are denied visibility and access rights (sometimes referred to as "read/write access") to

any electronic file containing non-public information. Employees with rights to screened files shall lock their workstations or log out when leaving their computers unattended under circumstances where a screened employee could access the files.

Supervision. If a screened employee has any supervisory authority over employees handling the screened matter, the relevant division chief or chief deputy attorney general shall appoint an acting supervisor for the purpose of supervising the matter.

Captions. The screened employees' names shall not appear on any document prepared or filed in connection with the matter (excluding office letterhead).

Notification. Copies of this memorandum shall be (1) attached to the inside cover of every physical file relating to the matter, (2) distributed by electronic mail to the chief of the Computers Section and every screened employee; and (3) sent by electronic or ordinary mail to any affected clients. The Computers Section chief shall archive the email he or she receives.

cc: